

DERGOSITS & NOAH LLP

ATTORNEYS AT LAW

FOUR EMBARCADERO CENTER, SUITE 1450
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE: (415) 705-6377
FACSIMILE: (415) 705-6383
<http://www.dergnoah.com>

**RECEIVED
CENTRAL FAX CENTER****FEB 09 2006****FACSIMILE TRANSMISSION COVER SHEET****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the document and fee described herein are being transmitted on February 9, 2006, to USPTO
fax number 571-273-8300, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Dated: February 9, 2006 By: 

Magdalena Blackmer

TO: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FACSIMILE NO.: 571-273-8300

FROM: Michael E. Dergosits, Esq.
Reg. No. 31,243

DATE: February 9, 2006**PAGES:** 9 (including cover)**OUR REF. NO.:** 653.02

RE: Application Serial No.: 10/800,044
For: SPA AND SPILLWAY ASSEMBLY AND METHOD
Applicant: Courtney W. TURPEN

COMMENTS: Transmitted herewith for filing in the above-referenced application is
the Response to Office Action Mailed January 12, 2006.

Hard Copy To Follow: Yes X No**CONFIDENTIALITY NOTE**

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS CONFIDENTIAL AND MAY ALSO CONTAIN
PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED FOR THE
INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE
PERSON RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY
USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU
HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN
THE ORIGINAL TRANSMISSION TO US VIA THE U.S. POSTAL SERVICE. THANK YOU.

PATENT

DERGOSITS & NOAH LLP
 FOUR EMBARCADERO CENTER, SUITE 1450
 SAN FRANCISCO, CA 94111
 (415) 705-6377

RECEIVED
 CENTRAL FAX CENTER

FEB 09 2006

AMENDMENT TRANSMITTAL

In re Application of: Courtney W. Turpen Attorney Docket No.: 653.02
 Serial No.: 10/800,044 Group Art Unit: 3751
 Filed: March 12, 2004 Examiner: Fetsuga, Robert M.
 For: SPA AND SPILLWAY ASSEMBLY AND METHOD

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that the document and fee described herein are being transmitted on February 9, 2006, to USPTO fax number 571-273-8300, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: February 9, 2006 By:	<i>Magdalena Blackmer</i> Magdalena Blackmer

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is the Amendment and Response to Office Action Mailed January 12, 2006, in the above-identified application. The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	
	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	23 *	Minus	** 28	= 0	x \$50.00	\$ 0
Independent Claims	3 *	Minus	*** 6	= 0	x \$200.00	\$ 0
First Presentation of Multiple/Dependent Claim					x \$360.00	\$ 0

Total \$ 0

Small Entity 50% Filing Fee Reduction (if applicable) \$ 0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.)

1. ☒ No additional fee is required.
2. ☒ Please charge any additional fees, including any fees necessary for extensions of time, or credit any overpayment to Deposit Account No. 04-0822. A duplicate copy of this sheet is enclosed.

Dated: February 9, 2006

By:

Michael E. Dergosits
 Michael E. Dergosits
 Reg. No. 31,243

BEST AVAILABLE COPY

Attorney Docket No.: 653.02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Group Art Unit: 3751

Courtney W. Turpen

Examiner: Fetsuga, Robert M.

Serial No.: 10/800,044

Filed: March 12, 2004

For: SPA AND SPILLWAY
ASSEMBLY AND METHOD**RECEIVED**
CENTRAL FAX CENTER
FEB 09 2006**RESPONSE TO
OFFICE ACTION MAILED
JANUARY 12, 2006**CERTIFICATE OF FACSIMILE TRANSMISSIONMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450I hereby certify that the document and fee described herein are
being transmitted on February 9, 2006, to USPTO fax number 571-
273-8300, addressed to: Mail Stop Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450.Dated: February 9, 2006 By: 

Magdalena Blackmer

Sir:

In response to the Official Action mailed January 12, 2006, applicant respectfully requests that the following amendment be made part of the official record in the above captioned case.

Amendments to the claims begin on Page 2 of this RESPONSE TO OFFICE ACTION
MAILED JANUARY 12, 2006.